

RI Water Resources Board
100 North Main Street
Providence, Rhode Island 02903
401-222-2217 tel
401-222-4707 fax

PUBLIC DRINKING WATER PROTECTION COMMITTEE

MINUTES OF MEETING

December 7, 2004

Members Present: Members Absent:

Frank Perry Robert Griffith

June Swallow

William Stamp

Alicia Good

Staff Present: Guests:

Kathleen Crawley James Campbell

William Riverso Emily Wild

Thomas Walker

Beverly O'Keefe

1. CALL TO ORDER: Acting Chairman Perry noted that a quorum was present and called the meeting to order at 12:01 a.m.

2. APPROVAL OF MINUTES and MEMORANDUM OF RECORD: With a motion by Mr.

Stamp, seconded by Ms. Swallow the minutes of the September 7, 2004 Public Drinking Water Protection Committee meeting and the Memorandum of Record of the October 5, 2004 meeting were approved.

3. ITEMS FOR ACTION:

A. SUPPLEMENTAL WATER SUPPLY STUDY PHASE II:

(1) Maguire Group Invoice #5 for \$9,738.75 - Request for Approval

Mr. Perry introduced the item. Mr. Walker reported that this invoice represents the information gathering stage of the project. He related that there is a status report included in the package. A motion to approve the payment was called by Mr. Stamp and seconded by Ms. Swallow; the committee approved the motion unanimously.

B. RI PUBLIC DRINKING WATER PROTECTION PROGRAM - PHASE III:

(1) PAWTUCKET WATER SUPPLY BOARD – REQUISITION #3 FOR WATERSHED PROTECTION LAND ACQUISITION COSTS - Requested Amount \$7,533.00; Recommended Payment \$7,533.00 - Request for Approval –

Mr. Perry introduced the item. Mr. Riverso reported that this request is for legal and appraisal costs associated with a previous land acquisition project funded in the program. He stated that proper supporting documentation was submitted and recommended approval. A motion to approve the payment was called by Mr. Stamp and seconded by Ms. Swallow; the committee approved the motion unanimously.

(2) PAWTUCKET WATER SUPPLY BOARD (PWSB) – REQUISITION #4 FOR RAW WATER QUALITY IMPROVEMENT PROTECTION - SIGNAGE - Requested Amount \$983.50; Recommended Payment \$983.50 - Request for Approval –

Mr. Perry introduced the item. Mr. Riverso reported that the Board Corporate in August 2004 approved eligibility for this project type for the PWSB. He added that under their eligibility request, PWSB stated that areas in their watershed were in immediate need of enforced security measures and recommended in their Vulnerability Assessment Plan. This project is one of them. He stated that proper supporting documentation was submitted and recommended

approval. Ms. Swallow asked what do the signs say. Mr. Rivero stated that he did not know but would find out in time for the Board meeting. A motion to approve the payment was called by Mr. Stamp and seconded by Ms. Swallow; the committee approved the motion unanimously.

(3) PAWTUCKET WATER SUPPLY BOARD – REQUISITION #5 FOR RAW WATER QUALITY IMPROVEMENT PROTECTION - BRUSH CLEARANCE - Requested Amount \$53,360.00; Recommended Payment \$53,360.00 - Request for Approval –

Mr. Perry introduced the item. Mr. Rivero reported that the Board Corporate under PWSB's eligibility request in August approved this project type. He stated that proper supporting documentation was submitted and recommended approval. A motion to approve the payment was called by Ms. Swallow and seconded by Ms. Good; the committee approved the motion unanimously.

(4) UNITED WATER RHODE ISLAND (UWRI) - WATERSHED PROTECTION LAND EASEMENT ACQUISITION PROJECT - Requested Amount \$270,000.00; Recommended Payment \$270,000.00 - Request for Approval –

Mr. Perry introduced the item. Mr. Rivero reported that the project for consideration is the purchase of a conservation easement on land within UWRI's Community Wellhead Protection Area. To accomplish this agreement UWRI is participating in a joint effort with the South Kingstown Land Trust. He stated that Stewart Nursery Co. Inc owns

the property known as Stewart Nursery, consists of 20.34 acres with a highest and best use of five single-family house lots. The UWRI contribution price is \$270,000.00. He reported that Lisa Primiano, Appraisal Supervisor of the Land Conservation & Acquisition Program Phase III has reviewed the appraisal and recommends that the Water Resources Board Corporate approve the value of \$270,000.00 for this property. He stated that Mr. Walker has reviewed the Class I Survey and finds that it conforms to the requirements of the program subject to fixing an error in the metes and bounds description and adding a statement. Mr. Walker explained his concerns. Mr. Riverso reported that he has handed out an updated letter by Mr. Walker and an approval by Mary Kay, our program legal counsel. He recommended approval for the payment request of \$270,000.00 for the acquisition project subject to receipt of any necessary documentation as required at closing and final approval by program Legal Counsel. Mr. Perry asked for clarification of the conservation easement and its future intended use. Mr. Riverso reported that a conservation agreement was made with Mary Kay's approval in accordance with the program requirements. Further discussion ensued regarding specifics for the conservation easement language. The committee asked staff to provide further information regarding the easement language. A motion to table the item was called by Mr. Stamp and seconded by Ms. Swallow; the committee approved the motion unanimously.

(5) TOWN OF WESTERLY WATER DEPT. (WWD) – REQUISITION #1

FOR WATER QUALITY IMPROVEMENT PROJECT – Request for Reimbursement for the In-Kind Replacement of Tuberculated Water Mains – Requested Amount \$226,087.32; Recommended Payment \$226,087.32 - Request for Approval

Mr. Perry introduced the item. Mr. Rivero reported that the project under consideration would reimburse WWD for the replacement of old tuberculated water mains along 23 streets in their distribution system consisting of approximately 7,713 linear feet of water main at a cost of \$226,087.32. He stated that this project type was approved in Phase II and Phase III and is listed as #8 on the Board Corporate approved program project list. He added that proper supporting documentation was submitted and recommended approval.

Discussion ensued regarding funding projects that are more closely one of routine maintenance. Ms. Good suggested that the Board should take up this question. Mr. Perry commented that again we are working with a gray area. Mr. Stamp asked if this type of project would get done anyway without our funding. Ms. Swallow said yes. Ms. Crawley commented that the difficulty arises for the committee and staff when an item is specifically listed as eligible on the list but must also be considered as to whether or not it is routine maintenance. A motion to approve the eligibility and payment was called by Ms. Swallow and seconded by Mr. Stamp; the committee approved the motion unanimously but note to the Board that this approval was made reluctantly because of the consensus view that this project type is more closely one of routine maintenance and should not be continued.

(6) TOWN OF WESTERLY WATER DEPT. (WWD) – REQUISITION #2 FOR WATER QUALITY IMPROVEMENT PROJECT – Request for Reimbursement for Elimination of “Dead End” Water Mains – Requested Amount \$10,564.72; Recommended Payment \$10,564.72 - Request for Approval

Mr. Perry introduced the item. Mr. Riverso reported that the project under consideration is for the elimination of dead end water mains along Robin Street and Daisy Avenue in the Westerly, RI distribution system. He stated that WWD maintains that eliminating dead ends prevents flow reversal and discolorization of potable water for residents thus enhancing water quality. He added that this project type was approved in Phase II and is listed as #10 on the Board Corporate approved program project list. He stated that proper supporting documentation has been submitted and recommended approval. Committee discussion ensued regarding whether this was a routine maintenance project. The committee agreed that it did not fall under routine maintenance. A motion to approve the eligibility and payment was called by Ms. Swallow and seconded by Ms. Good; the committee approved the motion unanimously.

(7) TOWN OF WESTERLY WATER DEPT. – REQUISITION #3 FOR WATER QUALITY IMPROVEMENT PROJECT – Request for Reimbursement for Elimination of “Dead End” Water Mains – Requested Amount \$13,492.16; Recommended Payment \$13,492.16 - Request for Approval

Mr. Perry introduced the item. Mr. Riverso reported that the project under consideration is for the elimination of dead end water mains along West Fairway Avenue and South Fairway Avenue in the Westerly, RI distribution system. He stated that proper supporting documentation has been submitted and recommended approval. A motion to approve the eligibility and payment was called by Ms. Swallow and seconded by Ms. Good; the committee approved the motion unanimously.

(8) TOWN OF WESTERLY WATER DEPT. – WATER QUALITY IMPROVEMENT PROJECT – Eligibility Request for a MIOX Study - Request for Approval –

Mr. Perry introduced the item. Mr. Riverso reported that the project under consideration is for a Mixed Oxidants Side Stream Pilot Study for the Town of Westerly's Water System Disinfection Pilot Program. He stated that WWD relates that due to their system's inability to maintain compliance with the Total Coliform Rule, the town installed equipment to utilize sodium hypochlorite as its permanent full time disinfectant. However, a resulting problem of high levels of chlorine at certain points in the system occurred affecting the water taste. In response, WWD contracted with C&E Engineering to perform a full evaluation of the Town's water system, which recommended the use of alternative disinfectants. The town decided to pursue a new process and an advanced technology of mixed oxidants as the recommended alternative and they are working with RIDOH on this project. He stated that this project type closely aligns with item #4 on

the Board Corporate WQI project list but added this item more appropriately belongs with #15 on the list as a new project type for consideration. He reported that Ms. Swallow was consulted to review the request and provide an opinion on the question of whether this project fits the category of “non-standard” and to provide input towards eligibility approval. Ms. Swallow concurred that this project type is non-standard but has concerns as to the efficacy of the project and adequacy of the resulting product. He stated that eligibility determination is for committee discussion and consideration. Ms. Swallow provided further background information on this project to the committee. Further discussion ensued regarding current cost and future cost of this project, whether a project having to do with aesthetics is also a quality improvement and whether it is a proper use of program funds. Ms. Swallow alerted the committee that in the past the committee did approve projects regarding sequestering iron and manganese, which is also an aesthetic type project. A motion to approve the eligibility and payment was called by Mr. Stamp and seconded by Ms. Good; the committee approved the motion with Ms. Swallow abstaining but whereby the committee will ask the full Board to note that this approval was made reluctantly because of the consensus view that this project type is more closely one of aesthetics and should not be continued and that the full Board should discuss and clarify “gray area” projects.

(9) HARRISVILLE FIRE DISTRICT (HFD) – WATERSHED PROTECTION LAND ACQUISITION PROJECT - Request for Eligibility - Request for Acceptance –

Mr. Perry introduced the item. Mr. Riverso reported that the project under consideration is for costs to acquire by condemnation a certain parcel of land for the purposes of watershed protection. He stated that this project was brought before the committee at this time because it is not an ordinary type of project because it is a condemnation but it has happened before within the program and it is an appropriate eligible expenditure under the rules and procedures of the program. Further discussion ensued clarifying why they went through condemnation and the condemnation process. Ms. Swallow asked for clarification on why they want this particular property. Further discussion ensued. Mr. Riverso stated that details of the project have not been forwarded yet. Mr. Stamp suggested that a representative from HFD follow up with further information on the project. A motion to table the item was called by Mr. Stamp and seconded by Ms. Swallow; the committee approved the motion unanimously.

C. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

(1) CITY OF EAST PROVIDENCE (CEP) – WSSMP - 30-MONTH INTERIM REPORT – Request for Extension - Request for Approval

Mr. Perry introduced the item. Ms. O’Keefe reported that CEP’s original WSSMP was prepared in-house and that Mr. Kenneth Booth, Superintendent of Water Utilities, contacted the Board and revealed that at this time workload and staff shortages preclude the report being prepared in-house. He adds that the procurement process to award a bid to an engineering consultant is moving along but that the 12-month extension request is a realistic time frame. Ms. O’Keefe recommended acceptance of the extension request. Ms. Good suggested that CEP maintain periodic correspondence regarding status of the report. A motion to approve the one-year extension request subject to periodic status correspondences was called by Mr. Stamp and seconded by Ms. Good; the committee approved the motion unanimously.

(2) TOWN OF JOHNSTON – WSSMP - 15-MONTH PROGRESS REPORT – Request for Acceptance

Mr. Perry introduced the item. Ms. O’Keefe reported that the Johnston Water Control Facility WSSMP was approved July 8, 2003 subject to six items, with a 15-month progress report to be submitted by October 8, 2004 and that the progress report was not received. She stated that a First Notice of Deficiency was mailed October 13, 2004 and Johnston submitted a response on November 9, 2004. She reported that the 15-month progress report submitted by Johnston provides bulleted statements of Johnston’s progress in planning and

management of the town's water supply program and with further discussion with Mr. George Corrente provided additional information and documentation of the facility's efforts in the full implementation of the Leak Detection Program, demand management and coordination efforts. She added that the 30-Month Interim Report will be due on or before December 24, 2005 and recommended acceptance of the progress report. A motion to accept the progress report was called by Mr. Stamp and seconded by Ms. Swallow; the committee approved the motion unanimously.

(3) PASCOAG UTILITY DISTRICT (PUD) – WSSMP - PROGRESS REPORT – Request for Acceptance

Mr. Perry introduced the item. Ms. O'Keefe reported that the PUD's WSSMP was approved June 10, 2003 subject to two items related to community coordination and the public water supply, with a progress report to be submitted by June 12, 2004. She stated that the progress report was not received and a First Notice of Deficiency was mailed October 1, 2004. Pascoag submitted a response on October 26, 2004. She stated that the progress report submitted by Pascoag provides a clear statement of Pascoag's efforts to locate additional water resources and a brief update on regionalization efforts by the Pascoag Board of Commissioners and electorate. She added that the report states some of their steps moving forward and meets the definition of a progress report. PUD plans to continue to provide progress reports to the Board and staff will work closely with PUD to facilitate forward progress. She recommended acceptance of the progress report. Ms. Good commented that their responses do not

relate any collaboration efforts as was stipulated previously in an original letter. Further discussion ensued. A motion to accept the progress report subject to further efforts to consolidate and coordinate with Harrisville Fire District at submittal of the 30-Month Interim Report due November 25, 2005 was called by Ms. Good and seconded by Mr. Stamp; the committee approved the motion unanimously.

D. GROUNDWATER PROTECTION/ACQUISITION PROGRAM:

(1) CONCEPTUAL APPROVAL OF SITE DEVELOPMENT RIGHTS ACQUISITIONS – Request for Approval

Mr. Perry introduced the item. Mr. Riverso reported that with the recent passing of Referendum #8 regarding bonding for Open Space and Watershed Protection, the Groundwater Protection Program stands to receive \$8 million in funds for use in the near future. He stated that Mr. Steve Donohue, General Manager, of Tuckahoe Turf, Inc. has informed the Board of his company's interest in selling development rights to their property, which contains 4 well sites identified and investigated in this program. He stated that he has cooperated with the Board in the past by allowing drilling and water quality testing. Mr. Riverso reported that the results are on file showing good quality groundwater. He reported that Mr. Donohue informs us that his interest in selling these development rights are contingent on the successful sale for the property in whole and that

he has initiated an application with the State of Rhode Island Agricultural Land Preservation Commission. Mr. Riverso reported that a meeting is being scheduled with interested parties to identify any concerns regarding impacts of developing future water supply. Staff reviewed the recommendation for approval to appraise, survey, title search and negotiate the potential development rights/conservation easements for the well sites referenced as RIW 481, RIW 576, RIW 510, RIW458 and RIW 500 and authority to go forward to the State Properties Committee for authorization to proceed with negotiations. This approval does not obligate the Board to purchase these property development rights. Ms. Swallow suggested that because Mr. Donohue is a former Board member, Board counsel should produce an opinion regarding any ethical concerns before entering into any negotiations. Ms. Crawley stated that she will ask for a letter from Counsel. Further discussion ensued with Ms. Crawley explaining that the Board would move forward in phases. Ms. Good asked if testing was done for “dacthol”. Mr. Riverso stated that pesticide testing was done but would have to verify it and would report back to the committee. Mr. Perry recommended tabling this item for further action. A motion to table the item was called by Ms. Swallow and seconded by Mr. Stamp; the committee approved the motion unanimously.

E. WATER ALLOCATION PROGRAM:

**(1) CURRENT WATER USE AND AVAILABILITY/MODELING STUDIES
– NARRAGANSETT EAST BAY and WEST BAY DRAINAGE BASINS -
Request for Acceptance for Review & Comments**

Mr. Perry introduced the item. Ms. Crawley reported that these are the last two reports in a series of presentations, which completes the state's assessment. She added that a schedule of publication dates was revised. Mr. Campbell reported that all work has been completed and what remains is the report process. He introduced Emily Wild of USGS to give the presentation. Ms. Wild's presentation highlights included the study objectives, defined study area, estimated withdrawals, surficial geology, analysis with scenarios of estimated water withdrawals and water availability in the basins, conclusions drawn and an explanation of water budgeting for the basins. Further discussion ensued on points for clarification. Mr. Perry reviewed the staff recommendation of acceptance of the East Narragansett Bay and West Narragansett Bay reports for review and comment. A motion to accept was called by Ms. Good and seconded by Mr. Stamp; the committee approved the motion unanimously.

4) ITEMS FOR DISCUSSION:

A. WATER ALLOCATION PROGRAM – Update

Mr. Perry introduced the item. Ms. O'Keefe reported that a meeting of the Water Allocation Implementation Team is scheduled for tomorrow

and that the schedule is set for a Strategic Planning workshop of the Board and Implementation Team for the last week in February 2005 to develop the final recommendations to be submitted to the Board and to coordinate the Implementation Team work with the expanded reporting.

B. DROUGHT MANAGEMENT PROGRAM – Update

Ms. Crawley reported that conditions in general are good and asked the committee to refer to the package for any details.

C. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM – Update

Ms. Crawley reported that all 28 plans have been approved. The review process of the interim reports and updates is moving forward and that staff is preparing to meet with the water suppliers and review agencies to discuss the development of the next generation of plans.

D. DATA BASE INITIATIVES – Update

Ms. Crawley introduced the item. Ms. McGreavy reported that the enclosed brief describes what the next phase of the water supply database interface is and would include designing a sophisticated query that would join data in the WSSMP database with data in the New England Water Use Data System. She stated that the query would address water supply planning issues on a regional, watershed basis. She added that a form would be designed that can be utilized

by major public water suppliers who will be asked to provide monthly, categorized water use data. Further discussion ensued regarding available funding and future plans. She stated that a meeting was held with several MIS directors or their representatives to try to understand in a technical way what the actual data was that agencies are collecting and how they're storing them. Another meeting is planned with the Chief Information Officer about taking advantage of an EPA grant that will provide a significant amount of funds for a shared approach for data management.

5. OTHER BUSINESS:

A. EAST SMITHFIELD WATER DISTRICT (ESWD) CORRESPONDENCE REGARDING RIDGE ROAD INTERCONNECTION – FYI

B. PUBLIC DRINKING WATER PROTECTION STAFF ACTIVITIES

6. ADJOURNMENT: On a motion by Mr. Stamp and seconded by Ms. Swallow; the committee adjourned the meeting at 1:47 p.m.

Respectfully submitted,

Frances Perry

Acting Chairman

Note: The complete proceedings of this meeting are available on audiotape by request.

Overseeing Body: RI Water Resources Board

Public Body: RI Water Resources Board

Public Contact Information: Connie McGreavy

Posting Date: Jan. 7, 2005